

PS 8  
(8/88)

**United States District Court**  
**for**  
**Western District of Tennessee**

**U.S.A. vs Nicholas Harmon**

**Docket No. 09-20342-02**

**Petition for Action on Conditions of Pretrial Release**

COMES NOW PRETRIAL SERVICES OFFICER Cathy Tovornik presenting an official report upon the conduct of Defendant Nicholas Harmon who was placed under pretrial release supervision by the Honorable Charmiane G. Claxton sitting in the court at Memphis, on the 2<sup>nd</sup> day of September, 2009, under the following conditions:

Mr. Harmon was released on a \$10,000 secured bond with the following conditions: 1) Report to Pretrial Services as directed; 2) Maintain or actively seek lawful employment; 3) Refrain from any use or unlawful possession of a narcotic drug or other controlled substance; 4) Submit to any method of testing required by Pretrial Services; 5) Participate in a program of inpatient or outpatient substance abuse testing, education or treatment if deemed advisable by Pretrial Services; 6) Refrain from tampering or attempting to obstruct or tamper with the efficiency and accuracy of any prohibited substance testing or electronic monitoring which is required as a condition of release; 7) The defendant must gain employment within 120 days of the date of this Order; 8) Participate in an electronic monitoring program as directed by Pretrial Services. You shall pay all or part of the cost of the program based upon your ability to pay as determined by Pretrial Services and 9) The defendant's grandmother must verify that the defendant may live at the residence and that there is a land line.\*

\*On September 3, 2009, Pretrial Services requested that the defendant be allowed to live with his mother, Ruby Harmon. The Court granted this request.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS: **SEE ATTACHED PAGE**

PRAYING THAT THE COURT WILL ORDER ISSUANCE OF A WARRANT SO THAT NICHOLAS HARMON MAY APPEAR AND SHOW CAUSE AS TO WHY HIS BOND SHOULD NOT BE REVOKED.

BOND RECOMMENDATION: NONE

**ORDER OF COURT**

Considered and ordered this 11th day of September, 2009 and ordered filed and made a part of the records in the above case.

s/Chamiane G. Claxton, U.S. Magistrate Judge

Judicial Official

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 11, 2009

s/cathy tovornik  
Cathy Tovornik

U.S. Pretrial Services Officer

Place Memphis, TN

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Nicholas Harmon  
September 11, 2009

**Participate in an electronic monitoring program as directed by Pretrial Services. You shall pay all or part of the cost of the program based upon your ability to pay as determined by Pretrial Services.**

Mr. Harmon was placed on location monitoring on September 9, 2009. Installation was verified as successful on September 9, 2009, at 3:43 p.m. On September 10, 2009, Pretrial Services received an alert for "transmitter open strap," which usually indicates that the ankle transmitter has been removed. On September 11, 2009, at 6:54 a.m. Pretrial Services telephoned the defendant at 901-746-9693 and spoke with his mother, Ruby Harmon. Ms. Harmon advised that the defendant was not home and that she did not know where he was. When asked, Ms. Harmon stated that when she arrived home at approximately midnight on September 11, 2009, the defendant was not at home. This officer asked her if she had observed the ankle transmitter in the residence and she stated that it was in the back bedroom where the defendant was staying.

A review of the Shelby County Jail website does not list the defendant in custody. A review of his local criminal record reveals no new charges as of today's date.